



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# 7/a  
11-15-03  
mel

In re application of:

Gary L. Gastineau *et al.*

Appl. No. 09/536,663

Filed: March 27, 2000

For: Determining Intra-Day Net Asset Value  
Proxy of an Actively Managed Exchange  
Traded Fund

Art Unit: 3621

Examiner: Greene, Daniel L.

Atty. Docket: 00322.0006.US00

**Reply and Amendment Under 37 C.F.R. § 1.111**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

OCT 30 2003

**GROUP 3600**

Sir:

In response to the Office Action dated June 27, 2003, (PTO Prosecution File Wrapper Paper No. 4), Applicant submits the following Amendment and Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 08-3038 referencing docket number 00322.0006.US00.